

GP/1646
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Approval for use through 9/30/00. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/783,669
		Filing Date	02/14/01
		First Named Inventor	Walke
		Group Art Unit	1646
		Examiner Name	O. Chernyshev
Total Number of Pages in This Submission	6	Attorney Docket Number	LEX-0135-USA

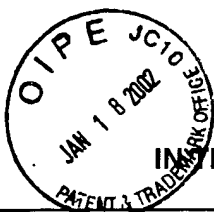
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ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Notice to Comply <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request of Refund Remarks	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communications to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communications to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): return postcard Verified Statement and Sequence List on Diskette Copy of Notice to Comply with Requirements for Patent Applications ...

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Lance K. Ishimoto, Reg. No. 41,866 Lexicon Genetics Incorporated
Signature	<i>Lance K. Ishimoto by David W. Hager</i> David W. Hager Reg. No. 41,071
Date	December 20, 2001

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: December 20, 2001			
Typed or printed name	Nancy Stacey		
Signature	<i>Nancy Stacey</i>	Date	December 20, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Walke *et al.*

Application No.: 09/783,669

Group Art Unit: 1646

Filed: 02/14/01

Examiner: O. Chernyshev

Title: Novel Human 7TM Proteins and
Polynucleotides Encoding the Same

Attorney Docket No.: LEX-0135-USA

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**RESPONSE TO NOTICE TO COMPLY WITH
REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR
AMINO ACID SEQUENCE DISCLOSURES**

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures ("the Notice"), mailed November 26, 2001 in connection with the above-identified application, Applicants submit herewith: (i) a Sequence Listing in computer readable form pursuant to 37 C.F.R. § 1.821(e); (ii) a Verified Statement Concerning Sequence Listing Under 37 C.F.R. § 1.821(f) and (iii) a replacement copy of sequence listing as originally submitted. Applicants respectfully request the entry of the computer readable form of the Sequence Listing into the file.

With regard to the statement on the Notice regarding Applicants alleged failure to provide an initial copy of the Sequence Listing as a separate part of the disclosure on paper copy, as required under 37 C.F.R. § 1.821(c), Applicants note for the record that a paper copy of the Sequence Listing was originally submitted with the application as filed on February 14, 2001, as evidenced by the return postcard received from the Patent and Trademark Office ("The Office"), a copy of which is included herewith. Applicants submit that the request for an original paper copy of the Sequence Listing was made in error, or that the copy of the Sequence Listing as originally filed has been misplaced by the Office. Therefore, Applicants believe that an amendment, as requested in the Notice, is not necessary.

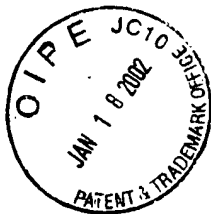
However, in order to attempt to comply with the Notice within the time period set for response, Applicants are submitting a replacement copy of the Sequence Listing, which was originally submitted with the application on February 14, 2001. The present document is a complete response to the Notice. Applicants believe that no fees are due in connection with this response. However, the Commissioner is authorized to charge any required fees to Deposit Account No. 50-0892. Should Examiner Myers have any further questions concerning the present application, a telephone call to the undersigned Applicants' representative is earnestly solicited.

Respectfully submitted,

December 20, 2001
Date

Lance K. Ishimoto by David W. Hubler REG NO. 41,866
Lance K. Ishimoto Reg. No. 41,866

LEXICON GENETICS INCORPORATED
4000 Research Forest Drive
The Woodlands, TX 77381
(281) 863-3333



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MAR 12 2001

Box Patent Application

Express Mail No.: EJ12893686 US

Date Mailed 2-14-01 U.S. Appl. Ser. No. to be assigned **MPK**

Inventors: Walke, Wilgandowski

Title: New Human 7 TM Protein & Polynucleotides Encoding the Same

Attorney Docket No.: LEX-0135-USA

☒ Specification 60 pages total (58 pages spec; 1 claim page(s); 1 page Abst)

☒ Transmittal Letter (original and copy)

☐ Drawings (____ pages; ____ number of drawings)

☒ Sequence Listing (5 pages)

Other: return postcard; unsigned Declaration Request & Certification

JC986 U.S. PTO

09/783669



02/14/01

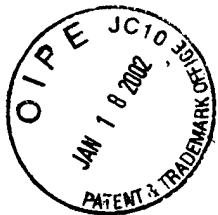
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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,669			LEX-0135-USA	9659



7590

11/26/2001

NTC

EXAMINER

CHERNYSHEV, OLGA N 703.305.100

ART UNIT	PAPER NUMBER
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1646

DATE MAILED: 11/26/2001

12/26/01

6ms 5/26/02

Please find below and/or attached an Office communication concerning this application or proceeding.

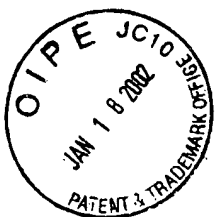
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DEC 04 2001

Per - *MS*



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/783,669			

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EXAMINER	
CHERNYSHEV	
ART UNIT	PAPER NUMBER
1646	2

Please find below a communication from the EXAMINER in charge of this application

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

APPLICANT IS GIVEN 30 DAYS FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Chernyshev whose telephone number is (703)305-1003. If the examiner cannot be reached, inquiries can be directed to Supervisory Patent Examiner Gary Kunz whose telephone number is (703) 308-4623. The fax number for the organization where this application or proceeding is assigned is (703) 308-4242.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

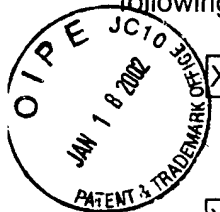
CHRISTINE J. SAOUD
PRIMARY EXAMINER

Christine J. Saoud

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):



- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____

Applicant Must Provide:

- ☒ An *initial* or substitute **computer readable form (CRF) copy** of the "Sequence Listing".
- ☒ An *initial* or substitute **paper copy** of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A **statement** that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

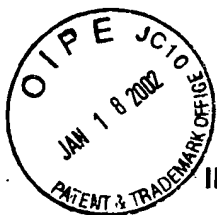
For CRF Submission Help, call (703) 308-4212

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To Purchase PatentIn Software.....703-306-2600

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Walke et al.

Application No.: 09/783,669

Filed: 02/14/01

Group Art Unit:
1646

Title: Novel Human 7TM Proteins and
Polynucleotides Encoding the Same

Attorney Docket No.: LEX-0135-USA

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VERIFIED STATEMENT UNDER 37 C.F.R. § 1.821(f)

Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Drenda D. Thomas, do declare and state as follows:

1. I prepared a Sequence Listing in paper and computer readable form under 37 C.F.R. § 1.821 - 1.825 in connection with the above-captioned patent application.
2. I hereby state that the contents of the paper and computer readable copies of the Sequence Listing are the same, and that the computer readable form being submitted herewith does not include new matter.

December 20, 2001
Date

Drenda D. Thomas
Drenda D. Thomas